

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

ROBERT MILLER,

Movant

v.

CIVIL ACTION NO. 2:08-1212  
(Criminal No. 2:05-00251)

UNITED STATES OF AMERICA,

Respondent

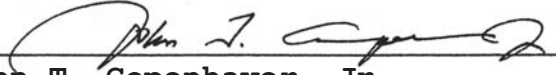
MEMORANDUM OPINION AND ORDER

The court having received the proposed findings and recommendation of the United States Magistrate Judge filed on October 28, 2008, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B); and having reviewed the record in this proceeding; and there being only non-meritorious objections filed by the movant to the proposed findings and recommendation; and it appearing proper so to do, it is ORDERED that the findings and conclusions made in the proposed findings and recommendation of the magistrate judge be, and they hereby are, adopted by the court.

It is, accordingly, ORDERED that the movant's motion pursuant to section 2255 be, and it hereby is, denied. It is further ORDERED that this action be, and it hereby is, dismissed.

The Clerk is directed to forward copies of this written opinion and order to the movant, all counsel of record, and the magistrate judge.

DATED: November 17, 2008

  
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John T. Copenhaver, Jr.  
United States District Judge